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both have copies

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NATIONAL SECURITY COUNCIL

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May 21, 1986

TO: WILLIAM J. CASEY  
FROM: KENNETH E. deGRAFFENREID

*VR.  
Ken*

Per your request. We will clean this  
up as an agenda for the Friday NSPG.

Attachment

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Declassify on: OADR

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**CONFIDENTIAL**CONFIDENTIALPROPOSED POLICY ON REDUCING UNAUTHORIZED DISCLOSURES

- A disclosures policy to cover backgrounding and so-called authorized leaks. This would combine NSDD-19, NSDD-84, and a recent draft NSDD on "controlled executive disclosure." It would attempt to rationalize our classification procedures, our press backgrounding, and a process for recording contacts. The policy would include:

- o Restricting access of operational and policy personnel to news media, require pre-clearance by authorized agency official, as well as documentation of the meeting, including subject matter discussed. Consider having such meetings in presence of a public affairs officer of the agency.

- o Requiring the agency head or senior designee to approve backgrounding to a media representative. Any such backgrounding should be documented in the agency's files for future retrieval and coordination purposes.

- o Enforcement of the "third agency" rule on release of classified information.

- o Restriction of access of news media personnel to controlled location within agency spaces and providing escort when out of controlled area.

- Appropriate procedures for press spokesman through a process which involves them in setting and implementing the policy. Mandatory coordination with intelligence element of each agency prior to responding on intelligence-related questions.

- An investigative policy in which DOJ agrees to proceed with aggressive investigation (including probably a strike task force), even if that investigation does not lead to criminal prosecution (but rather administrative action). Our object is to deter leaks (have a "chilling" effect) - this is best done by identifying people quickly and firing them for cause. Pursue all avenues of investigation and prosecution, including, where required, polygraph, interview of media personnel and possible appearance before grand jury when a particularly egregious leak has occurred resulting in great damage to the national security or to the lives of American personnel. Do not lead with this aspect of the policy, but rather let it develop.

- An interagency group consisting of senior level policymakers who confer each morning (secure conference call) on the day's crop of leaks - deciding which really are leaks and which should be investigated and hopefully with a thought as to

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where the FBI might start looking. This group, chaired under your authority, would then refer the leak to a senior Justice official who authorizes an immediate investigation. (The Attorney General, of course, could still initiate them on his own, as could other Cabinet Officers.) The group would be supported by a small disclosures analysis staff at the IC Staff, who could do longer term analysis of leaks. The group would also designate individuals who could brief the FBI on the details of the leak.

- An aggressive FBI investigative unit poised to swing into action upon word from Justice. The FBI/Washington Field Office is prepared to implement this when directed.

- Education about leaks. Preparation and distribution of a "primer" on leaks to alert government employees to the various types of leaks and the various techniques used by reporters in gaining unauthorized information.

- A public relations plan for senior Administration officials to present our case and respond to likely media criticism.

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